

FILE COPY

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING
IN THE MATTER OF THE LICENSE OF

HELEN HAMLET, L.P.N.,
RESPONDENT

:
:
: FINAL DECISION & ORDER
: (97 NUR 008)

:
: LS9711133NUR

The parties to this proceeding for purposes of sec. 227.53, Stats. are:

Helen Hamlet, L.P.N.
2201 Phillips Avenue
Racine, WI 53403

Wisconsin Board of Nursing
1400 East Washington Avenue
P.O. Box 8935
Madison, WI 53708-8935

Department of Regulation and Licensing
Division of Enforcement
1400 East Washington Avenue
P.O. Box 8935
Madison, WI 53708-8935

The Wisconsin Board of Nursing received a Stipulation submitted by the parties to the above-captioned matter. The Stipulation, a copy of which is attached hereto, was executed by Helen Hamlet, L.P.N., and by her attorney William F. Mross, and by James E. Polewski, attorney for the Department of Regulation and Licensing, Division of Enforcement. The Board has reviewed this Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Helen Hamlet, L.P.N., 2201 Phillips Avenue, Racine, WI 53403, was born on 11/8/36 and has been licensed to practice as a licensed practical nurse in the State of Wisconsin since 9/15/89, license # 29905.

2. An investigation, 97 NUR 008, is pending before the Board of Nursing. The allegations which are the bases for the investigation are that Ms. Hamlet inappropriately passed double doses of medication to eleven residents of Ridgewood of Racine County Care Center and she placed unlabeled, open medications in containers on top of the medication cart.

3. Ms. Hamlet, in consideration of her retirement from the practice of nursing in the State of Wisconsin, has tendered the voluntary surrender of her license effective on the date of this Final Decision And Order.

CONCLUSIONS OF LAW

1. The Wisconsin Board of Nursing has jurisdiction in this matter pursuant to sec. 441.07, Stats.

2. The Wisconsin Board of Nursing has the authority to resolve this matter by stipulation without an evidentiary hearing pursuant to sec. 227.44(5), Stats.

ORDER

NOW, THEREFORE, IT IS ORDERED that the voluntary surrender of Ms. Hamlet's license, effective on the date of this Final Decision And Order, is accepted.


IT IS FURTHER ORDERED that Ms. Hamlet will not practice or attempt to practice nursing in the State of Wisconsin when not licensed.

IT IS FURTHER ORDERED that the pending investigation, 97 NUR 008, shall be and hereby is closed without further proceedings.

The rights of a party aggrieved by this Final Decision And Order to petition the Wisconsin Board of Nursing for rehearing and to petition for judicial review are set forth in the attached "Notice of Appeal Information".

Dated at Madison, Wisconsin, this 13 day of November 1997.

WISCONSIN BOARD OF NURSING


A Member of the Board

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING
IN THE MATTER OF THE LICENSE OF

HELEN HAMLET, L.P.N.,
RESPONDENT

:
:
: STIPULATION
: (97 NUR 008)
:

It is hereby stipulated between Helen Hamlet L.P.N., and by her attorney, William F. Mross, and James E. Polewski, attorney for the Department of Regulation and Licensing, Division of Enforcement, as follows:

1. Helen Hamlet, L.P.N., 2201 Phillips Avenue, Racine, WI 53403, was born on 11/8/36 and has been licensed to practice as a licensed practical nurse in the State of Wisconsin since 9/15/89, license # 29905.
2. An investigation, 97 NUR 008, is pending before the Board of Nursing. The allegations which are the bases for the investigation are that Ms. Hamlet inappropriately passed double doses of medication to eleven residents of Ridgewood of Racine County Care Center and she placed unlabeled, open medications in containers on top of the medication cart.
3. Ms. Hamlet, in consideration of her retirement from the practice of nursing in the State of Wisconsin, voluntarily surrenders her license effective on the date of the Final Decision And Order in this matter.
4. The pending investigation, 97 NUR 008, will be closed without further proceedings.
5. The Board of Nursing may enter the Final Decision And Order, a copy of which is attached hereto and incorporated herein.
6. The parties waive all costs of this proceeding.
7. Ms. Hamlet understands that by signing this Stipulation, she freely, voluntarily and knowingly waives her rights including the right to a hearing on the allegations against her, the right to confront and cross-examine witnesses against her, the right to call witnesses on her behalf and to compel their attendance by subpoena, the right to testify on her own behalf, the right to file objections to any proposed decision and to present briefs or oral arguments to the officials who are to render the final decision and order, the right to petition for rehearing, the right to judicial review, and all other applicable rights afforded to her under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes and the Wisconsin Administrative Code.
8. The parties to this Stipulation and the Case Advisor, Lorraine Norem, R.N., may appear before the Wisconsin Board of Nursing in support of this Stipulation. Any appearance by

any party pursuant to this paragraph shall be preceded by proper and timely notice to all parties to this proceeding.

If any term of this Stipulation or the incorporated Final Decision And Order is not accepted by the Wisconsin Board of Nursing, then no term of this Stipulation or the Final Decision And Order will be binding in any manner on any party, and the matter will be returned to the Decision of Enforcement for further proceedings.

Dated: 13 Sept 97

Helen Hamlet
Helen Hamlet, L.P.N.

Dated: 15 Sept. 1997

William F. Mross
William F. Mross
Attorney for Helen Hamlet, L.P.N.

Dated: Sept 2 1997

James E. Polewski
James E. Polewski, Attorney
Department of Regulation and Licensing
Division of Enforcement

STATE OF WISCONSIN
DEPARTMENT OF REGULATION AND LICENSING
BEFORE THE BOARD OF NURSING

In the Matter of the License of

Helen Hamlet, L.P.N.,

AFFIDAVIT OF MAILING


Respondent.

STATE OF WISCONSIN)
)
COUNTY OF DANE)

I, Kate Rotenberg, having been duly sworn on oath, state the following to be true and correct based on my personal knowledge:

1. I am employed by the Wisconsin Department of Regulation and Licensing.
2. On November 17, 1997, I served the Final Decision and Order dated November 13, 1997, LS9711133NUR, upon the Respondent Helen Hamlet's attorney by enclosing a true and accurate copy of the above-described document in an envelope properly stamped and addressed to the above-named Respondent's attorney and placing the envelope in the State of Wisconsin mail system to be mailed by the United States Post Office by certified mail. The certified mail receipt number on the envelope is P 221 159 649.


William F. Mross, Attorney
310 5th Street, Suite 203
P.O. Box 21
Racine WI 53401



Kate Rotenberg
Department of Regulation and Licensing
Office of Legal Counsel

Subscribed and sworn to before me

this 17th day of November, 1997.



Notary Public, State of Wisconsin
My commission is permanent.

NOTICE OF APPEAL INFORMATION

Notice Of Rights For Rehearing Or Judicial Review, The Times Allowed For Each, And The Identification Of The Party To Be Named As Respondent.

Serve Petition for Rehearing or Judicial Review on:

STATE OF WISCONSIN BOARD OF NURSING

1400 East Washington Avenue

P.O. Box 8935

Madison, WI 53708.

The Date of Mailing this Decision is:

November 17, 1997

1. REHEARING

Any person aggrieved by this order may file a written petition for rehearing within 20 days after service of this order, as provided in sec. 227.49 of the *Wisconsin Statutes*, a copy of which is reprinted on side two of this sheet. The 20 day period commences the day of personal service or mailing of this decision. (The date of mailing this decision is shown above.)

A petition for rehearing should name as respondent and be filed with the party identified in the box above.

A petition for rehearing is not a prerequisite for appeal or review.

2. JUDICIAL REVIEW..

Any person aggrieved by this decision may petition for judicial review as specified in sec. 227.53, *Wisconsin Statutes* a copy of which is reprinted on side two of this sheet. By law, a petition for review must be filed in circuit court and should name as the respondent the party listed in the box above. A copy of the petition for judicial review should be served upon the party listed in the box above.

A petition must be filed within 30 days after service of this decision if there is no petition for rehearing, or within 30 days after service of the order finally disposing of a petition for rehearing, or within 30 days after the final disposition by operation of law of any petition for rehearing.

The 30-day period for serving and filing a petition commences on the day after personal service or mailing of the decision by the agency, or the day after the final disposition by operation of the law of any petition for rehearing. (The date of mailing this decision is shown above.)